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ABSTRACT

This booklet explores the question of what the role and task of schools should be in facing the changes underway in educational systems throughout Europe. The school's tasks always been that of teaching, educating and preparing children for life in society. Ethical and moral standards has been seen as part of that task. This area is also very complicated and prone to conflict, yet it is also seen as the very basis of human survival. This booklet explores some of the challenges facing the new civic education underway. The book is divided into three parts: (1) "The Background and Issues Involved"; (2) "The School as a Training Ground for the Citizen"; and (3) "The Legal Dimension, a Pillar of Civic Education." (EH)

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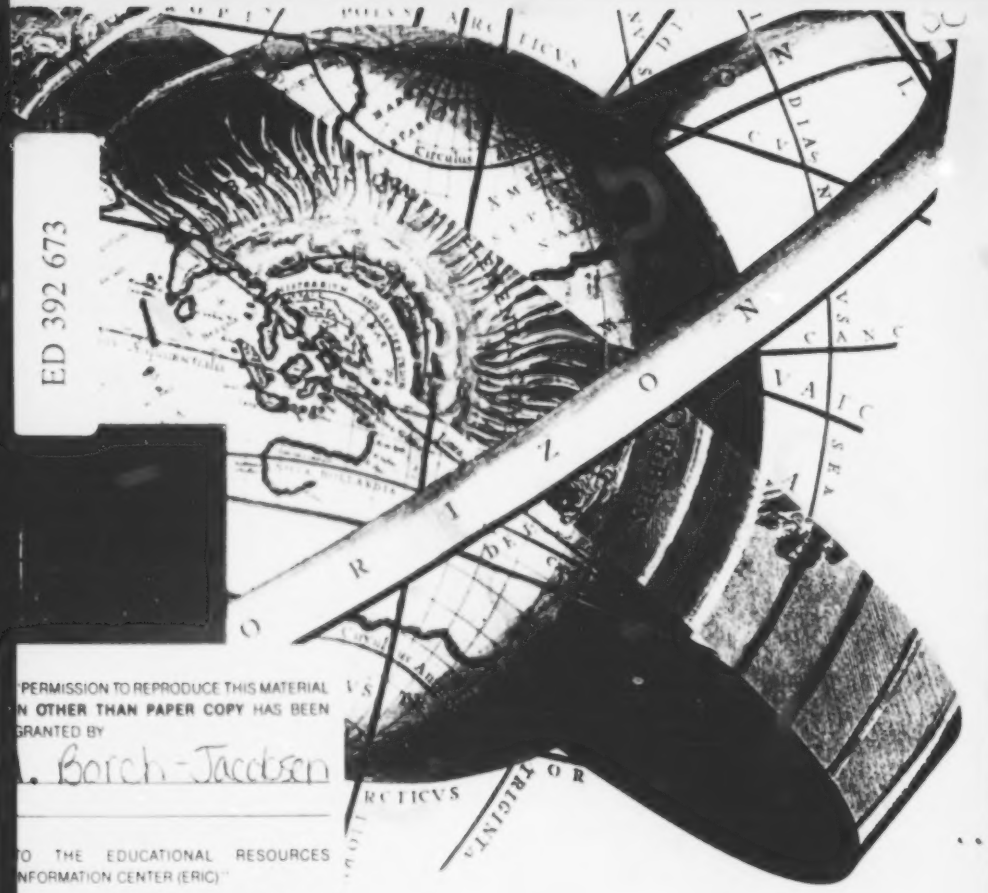

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Teaching about society passing on values
Elementary law in civic education

by
Mr François Audigier
Institut National de Recherche Pédagogique
(National Institute of Educational Research)
Paris, France

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The **Council of Europe** was founded in 1949 to achieve greater unity between European parliamentary democracies. It is the oldest of the European political institutions and has 32 member States,[1] including the 12 members of the European Community. It is the widest intergovernmental and interparliamentary grouping in Europe, and has its headquarters in the French city of Strasbourg.

Only questions related to national defence are excluded from the Council of Europe's work, and the Organisation has activities in the following areas: democracy, human rights and fundamental freedoms; media and communication; social and economic affairs; education, culture, heritage and sport; youth; health; environment and regional planning; local democracy; and legal co-operation.

The **European Cultural Convention** was opened for signature in 1954. This international treaty is open to European countries that are not members of the Council of Europe, and it enables them to take part in the Organisation's programmes on education, culture, sport and youth. So far, 38 States have acceded to the European Cultural Convention: the Council of Europe's full member states plus Albania, Belarus, Croatia, the Holy See, Latvia, Russia, Slovenia.

The **Council for Cultural Co-operation** (the **CDCC**) is responsible for the Council of Europe's work on education and culture. Four specialised committees – the Education Committee, the Standing Conference on University Problems, the Culture Committee and the Cultural Heritage Committee – help the CDCC to carry out its tasks under the European Cultural Convention. There is also a close working relationship

1. Austria, Belgium, Bulgaria, Czech Republic, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, San Marino, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Turkey, United Kingdom.

between the CDCC and the regular conferences of specialised European ministers responsible for education, culture and cultural heritage.

The CDCC's programmes are an integral part of the Council of Europe's work, and, like the programmes in other sectors, they contribute to the Organisation's three over-arching policy objectives for the 1990s:

- the protection, reinforcement and promotion of human rights and fundamental freedoms and pluralist democracy;
- the promotion of an awareness of European identity;
- the search for common responses to the great challenges facing European society.

The CDCC's education programme covers school, higher and adult education, as well as educational research. At present, its main priorities are projects on: the European dimension of secondary education; university co-operation; adult education and social change; modern languages; and the pooling of the results of educational research.

In 1991, the Council for Cultural Co-operation of the Council of Europe launched a Project entitled "A secondary education for Europe". The aims of the Project are to :

i. give young people the knowledge, skills and attitudes they will need to meet the major challenges of European society ;

ii. prepare young people for higher education, and for mobility, work and daily life in a multilingual and multicultural education ;

iii. make young people aware of their common cultural heritage and their shared responsibilities as Europeans.

This Project has two elements : the first devoted to reflections and consultations between the member States on the overall policies and strategies, and the second on The European dimension in the school curriculum.

The aim of this series of monographs is to present succinctly either practical experiences of integrating the European dimension into school or out-of-school life, or examples of contents or themes which could be the basis of reflections or discussions for teachers.

Since the aim of these monographs is to give rise to discussions and exchanges of views, the opinions and judgments contained in them are those of the authors and do not necessarily reflect the official policy of the Council of Europe and its Council for Cultural Co-operation on the subjects dealt with.

List of monographs

- Dostoyevsky and Europe
  ISBN 92-871-2277-6
- European Clubs
  ISBN 92-871-2281-4
- Teaching for exchanges – Aims and ways of teacher-training
  ISBN 92-871-2279-2

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Throughout Europe, a crisis situation has been declared in educational systems; they are under going and will continue to undergo sweeping changes. Society's decision-makers are striving to meet the new challenges facing European societies and anticipate and keep pace with inevitable developments; in particular, they are focusing on what the role and task of the school should be.

The school has always had the tripartite task of **teaching**, **educating** and **preparing children for life in society**, i.e. passing on knowledge, principles and values with which to organise and permit the creation, exchange and use of tangible and symbolic assets and live one's life, both as an individual and within society. This means passing on knowledge, know-how and skills most commonly identified in terms of recognised academic disciplines – the mother tongue, mathematics, experimental sciences, history, foreign language learning, geography, economics, etc. It also means passing on the rules of the societies in which our children live and the **ethical and moral standards** which not only instil children with judgements on man and society but are, themselves, based on these judgements. Whatever the institutional and pedagogical solutions adopted to fulfil these tasks, notably where ethical and social rules and standards are concerned, we are now facing the prospect of a redefinition of the whole.

But this is an area which is particularly prone to complications and conflict. There is a **mass** of **conflicting arguments** and **issues**. What is at stake here is nothing less than **human relations, our ability to live together in mutual respect for one another's freedom, ways of controlling violence and resolving conflicts, and power-based relationships between individuals, groups and institutions**. Everyone agrees that schools have a role to play in this area; the Council of Europe has frequently emphasised this both in its ongoing work and

in recommendations adopted by the Committee of Ministers.[1] But schools fulfil this role under pressure, often finding themselves at odds with other elements which are assuming increasing importance in cultural transmission. One example of this is the school's frequently voiced desire to provide a consistent education to counterbalance the flood of images to which we are all subjected, images which generate a feeling of fragmentation and helplessness and at the same time perpetuate the illusion that we are part of and familiar with this vast world.

In this new and difficult context, **civic education**, or however it may be termed in different European states and school systems, is a key factor in the school's contribution to life in society, to the ability to grasp and solve problems affecting European societies. Its definition, scope and methodology are also surrounded by arguments and issues, both political and ideological. It is therefore important to attempt an outline definition, to pick out a few of the inevitable contradictions running through it. The resulting handful of points of reference will enable us to **consider the hypothesis that the legal dimension, based on human rights,[2] is a key orientation in this civic education**. A number of European school systems are already committed to this approach. Others attach importance to education and standards of a religious nature, while in France, education explicitly resorts to lay tradition to take up new challenges. This diversity reflects both the great number of traditions and legacies and a necessary adjustment

1. The numerous references to this include the Council of Europe Committee of Ministers Recommendation R (85) 7 on "Teaching and learning about human rights in schools".

2. It should be remembered that the term "human rights" designates the rights pertaining to any person whomsoever; they are universal. The word "human" is cognate with Latin *homo*, which designates the human being and gives us "humanity" to describe these human beings taken as a whole; while the Latin *vir* also refers to humans, it is restricted to the male gender.

to special circumstances; however, the fact that the different approaches can converge towards this legal orientation is also proof that a **common system of rules and standards** is gradually and often very painfully evolving on **a European scale, creating conditions for greater social harmony** for all the states and peoples of our continent.

If the scope, methodology and conditions of civic education are to be considered, it is necessary to weigh up an entire set of factors. Rather than attempting the impossible, i.e. a comprehensive review of all these factors, I will instead sketch some general guidelines along which we can organise our thoughts. I am well aware that cultural and institutional differences make it difficult to draw comparisons and any initial phase would involve reasoned analysis of these differences; for this reason I will confine myself to very broad observations in the certainty of expressing my own culture if not my own point of view. A broad sketch of the present and future context of this Europe-oriented education will highlight some of the issues and challenges to be faced by European societies. I will then evoke certain aspects of the likely problems of civic education, a logic problem which I will attempt to construct around sources of pressure or conflict which any civic education or teaching programme is bound to encounter and on which our work must be based – constraints which must be approached with a positive attitude.

This type of education is destined for one particular institution, the school, which has its own definitions and *modus operandi*. Even though every education system, be it state, regional or local (the pattern varies considerably in Europe) has its own special characteristics, affinities do exist where problems, concerns and their proposed solutions are involved. We must bear this in mind before going on to consider the hypothesis that civic education should be developed using the legal dimension as its main guiding principle. This approach alone cannot solve the problems encountered; it defers some

questions and raises a number of others. We must then consider the value and relevance of these deferrals and solutions. **Thinking ahead is made all the more important and difficult** by the need to consider the short term in relation to a longer term which remains an unknown quantity, by the impossibility of reproducing old patterns given the complexity of both material and cultural historical heritages and by the new responsibilities which we have to face.

The background and issues involved

1. European societies facing new challenges

The value and necessity of civic education has often, if not always, been evoked at times of crisis, doubt and difficulty. The non-exhaustive list below highlights a few of these instances, in no particular order:

- **recent and current geopolitical changes** call the widely accepted equation of nation=territory=state into question;
- at a time when certain states are discovering, occasionally to their disappointment, the **constraints and difficulties of pluralist democracy**, the political systems and protagonists of states with a longer established tradition in this area are coming under attack; all are faced with the complex **re-distribution of power** which breaks with or modifies the age-old trend in the formation of nation-states;
- despite mobilisation at local and regional levels, it remains difficult to find the **right scale on which to solve problems** while powers above and beyond the state develop, seek to make their presence felt or procrastinate or opt for discretion but become no less effective;
- economic developments which generate increasing numbers of **down-and-outs** as various social security systems endeavour to prevent them being pushed too close to the fringes of society;
- urban concentration, which runs counter to a well-spaced-out environment, is a sign of increasing social and territorial inequality;
- societies must fight a running battle to stamp out constantly recurring **discrimination**;
- **progress in science** has increased man's power over both nature and himself. For the very first time, man has the ability to modify genetics and even destroy the earth;

– **the responsible management of natural resources** is becoming an absolute imperative, an imperative which now puts a question mark over a number of principles of economic development.

Some of these factors are not specifically European: either they directly affect other societies as well, or the manner in which they are considered and dealt with in Europe rebounds on other societies; they often have implications for the planet as a whole.

Today, we must consider and meet these various challenges on a European scale, but this is not the only relevant scale. Not only is it necessary to define the respective roles of local, regional, national or state apparatus (these latter two levels are far from identical in many situations), as I have already pointed out, but relations with the rest of the world must be fully taken into account. One can gain a clearer idea of this **major question of relations between Europe and the rest of the world** simply by taking the example of the threefold reversal in trends, in economic, cultural and demographic and social terms. Until recently, Europe, despite crises, wars, the loss of its colonies, etc., lived largely in the spirit of expansion; now, Europe's external relations are marked by a threefold reversal in trends: in the economic sphere, Japan and the newly industrialised nations seem to be swamping Europe's consumers with their goods, all a threat to European manufacturers (who are themselves satisfied buyers of the same products); on a cultural level, American models disguised with a wrapping of freedom and driven by powerful promotional support are taking over, particularly but not exclusively where young people are concerned; in the demographic sphere, people are haunted by the spectre of Eastern Europe but the southern shores of the Mediterranean are an even more prolific source of fears and flights of fancy. There is a risk that we might slide towards solutions which use force

and violence to settle the problems arising from this reversal and forget the essence of the law.

2. European identity and identities

If it is true that any identity is partly built on how it **differs from or resembles its opposite number**, this reversal of trends calls the definition of European identity into question in a certain respect and reminds us that, above all, it must not be regarded as simply an upgrading of scale, the extension of our experience in various states to the whole of Europe. **Identity is one of the most pressing and complex issues which we must resolve together**. More exchanges, the opening of borders, increased circulation of people and ideas explode traditional concepts of identity. This is a key issue at a time when political movements claim to be able to define identity by contrast with and exclusion of other groups and individuals, thus perpetuating ideas and practices which have been the downfall of Europe. These movements prey on worries relating to both identity and the protection of acquired social positions which, along with other corporate and community tendencies, provide a pretext for rejecting freedom and reason as a basis for European identity.

If we perceive identity as the way in which individuals and groups see and define themselves as resembling or differing from other groups and individuals, we cannot avoid **basing our considerations on plurality**. Today, every European is an intersection in the numerous networks of relationships and influences underlying work, leisure, cultural interests, family and social ties, etc. We must combat the dangerous attitudes outlined above by creating, developing and assimilating means of living together in this plurality of cultures to which each individual contributes within multi-cultural society. It is within this context that European identity can be built. This identity is not a substitute for others but provides the framework required for communal life in an open Europe. It is

therefore, in essence, strictly political, intended to enable everyone to live in Europe in accordance with rules generated by free debate, decision and acceptance. European identity is thus closely linked with citizenship, making civic education all the more necessary. It is a particular way of **preparing the ground for, and developing, this free debate and using the dialogue arising from contrasting factors as a way forward** which is the central feature of European identity.

3. The importance of democratic discussion

The demands of education become more urgent, but also more difficult to implement, in the context of a crisis in our institutions, political practices and indeed our values. In most states with a long-established tradition of democracy, analysts are emphasising the crisis situation in political institutions and practices. Representative democracy is experiencing operational difficulties, which seems somewhat paradoxical at a time when it is spreading to the rest of the European continent. Citizens feel increasingly held at arm's length from decision-making processes, and politicians are strongly criticised and indeed opposed. This failing of democracy is essentially linked to the **lack of sufficient democratic debate** in our societies, which gives the impression that power is taken simply for its own sake. **Citizenship implies participation in public debate, decision-making and the implementation of these decisions**. It incorporates the idea of social and political responsibility, giving "citizen" a slightly different meaning from that of "individual". Public life and public debate involve co-operation between people, the division of labour and the sharing of the fruits of that labour. Who is responsible for what? How will the fruits of collective labour be distributed? Underlying these questions is that of the meaning of living in society. Everyone should freely express their views on the subject. It is the responsibility of all to encourage free, on-going debate on the issues involved in living in society and how to approach them.

4. A major issue for schools

Preparing the citizens of the future therefore means helping to build a framework in which everyone can exercise **his freedom, responsibility and reason** in the quest for solutions and in the action taken to meet the challenges of the future. **Our prime educational institution**, the school, is fully concerned by these issues, which should therefore be the focus of plans for civic education.

While fulfilling its own ultimate goals and requirements the school is asked to meet the demands and expectations of society. **Civic education is in widespread demand**. Numerous surveys and reports indicate genuine interest among pupils. This interest is partly linked to strong hopes for practices based on democracy and participation within the school institution itself. Many adults show an interest too, for a variety of reasons ranging from a true demand for civic and democratic education to a desire to remedy what is regarded as a lack of public spirit in everyday life. In any case, as we will make clear later on, there is **no reason why individuals should spontaneously grasp the principles of democratic life and develop attitudes and behaviour patterns aligned with these principles**.

In everyday life, schools increasingly face situations which lead them to turn to civic education in a search for principles and tools to provide the means to cope. The diversity, in both social and cultural terms, of school-children and the problems experienced by the various representatives of the teaching establishment in rapidly responding to social change heighten this already pressing need to introduce new methods and content for civic education as soon as possible.

The school as a training ground for the citizen

Teaching children to become citizens means taking as a basis the study of their and others' societies, both present and past. Teaching children about society means teaching the rules of life in society, rules governing communal life, the settlement of conflicts, the organisation of human relations, rules applying to the distribution, allocation and sharing of responsibilities and wealth on both tangible and symbolic levels. It also means situating our societies within the history of ideas, groups, nations, complex links with the past on which everyone draws to build their own identity in relation to a number of references. But it also means asserting, within our democratic societies, that passing on this knowledge results in the **critical internalisation of rules promoting the desire to live together** and of peaceful procedures for settling conflicts; asserting individual freedoms and rights for everyone as the main guiding principles of human relationships. It therefore means irrevocably and intrinsically **including the subject of values and accepting that this issue may be raised at school**. It means raising the issue of knowledge, which the school passes on to pupils and helps them to acquire, the conditions in which it is passed on and built upon, how the school works as an institution and so on.

There are several complementary approaches to teaching and learning about society:

- societies are studied via **social sciences**, set up as an organised and legitimised corpus of knowledge; this knowledge is passed on in various education systems *via* school disciplines which claim affinities with it: sociology, economics, history, geography, etc.; it covers aspects of power-based relationships, their negotiation, the arguments which control them when violence is not the guiding principle of this control;

- **law** and **legality** as a **set of rules** developed by man who constantly debates how they should be changed, adapted and applied. The law is not the starting point; on the contrary, it is the "final step" (to quote P. Ricoeur) along a path which leads from ethical to moral intention, passing *via* values;

- **the analysis of societies, debate and argument, law and legality incorporate this aspect of values**; any social situation is analysed from a viewpoint comprising an evaluation, a judgement. Ethics, morals, values will always provide a horizon which no state of society could ever attain; as societies evolve, we are constantly led to reflect on both these values and their implications for the rules governing life in society. This reflection is a matter for everyone and not just a certain category of specialists. It is this totally democratic imperative which makes values a central feature of civic education. This leads us, last but not least, to the question of learning methods. We will examine the purely didactic aspects below, but let us agree for the time being that it is the role of teaching to manage this learning goal, that is to say **teaching and learning situations must be created in the school in such a way as to enable the pupil to develop both skills** – knowledge, know-how and attitudes – already present and formalised in our societies and the **rules of public debate** in which he is and will be invited and called upon to participate as a citizen.

Having thus defined civic education, we experience new difficulties when it comes to specifying its content, methods, exponents, etc. Each of these elements brings into play a number of contradictions of which we must be clearly and constantly aware. Too many initiatives, however generous and well-meaning, have fallen by the wayside because the size of the task was not taken into account. In the dialogue required between decision-makers in different European

states, the conditions expressed here must be considered as contrasting pairs.

1. The goals of civic education

Critical freedom or respect for established standards?

What kind of adult must the school produce? If we listen to the official version, this adult will be brimming with qualities; it is difficult to know whether to wonder at the scale of the educational aspirations or of the regret expressed at the behaviour all too commonly demonstrated by adults of the present day. In fact, we are **torn between social criticism and social integration**. Should the school produce free and therefore critical citizens or individuals who obey laws and social norms? This conflict reflects the fact that civic education is tied both to the **need for necessary knowledge and awareness of the society in which we live and to the equally important need to prepare people to take initiatives and responsibilities and exercise their freedom**. The paradoxical goal is to be able to transmit and instil inherited standards and values on one hand and develop critical skills in children so that they may freely build and develop standards and values themselves on the other hand.

Transmitted knowledge and/or acquired attitudes?

Everyone would happily agree that the final goal of civic education is the **practical exercise of responsible citizenship**. But are the attitudes which characterise a responsible citizen acquired spontaneously simply because a young person is trained to use critical reasoning? Or must they be explicitly pointed out before they are acquired? And in this case, how can such attitudes be developed? Who will be the judge of this? Which attitudes are to be adopted? Attitudes expressed within the school? Or current attitudes in society? In that case, where does the responsibility of the school and its teachers stop?

The ambivalent and complementary relationship between knowledge and attitudes is complicated by the fact that civic education very obviously pursues goals which can be achieved only in the future and in society itself. All the subjects taught at school are, of course, intended to be of use to children today and adults tomorrow; however, none of them is as explicitly **designed to affect an area as vast as that of social values and attitudes for the individual's entire life**. This is an additional challenge.

2. The role of the school

This brings us to the **role of the school in relation to other social institutions**. Children are introduced into a network of institutions and authorities which participate in their education and work both together and against one another in order to impose their influence, line of thought and standards. For simplicity's sake, let us draw a contrast between the domain of the **family** and the domain of the **state** or **society**, the **private** sphere of the individual and his family unit as opposed to the **public**, communal sphere. Today, this duality is exacerbated by the increasing influence of the media and the peer group, which are highly effective vectors in cultural transmission. It is particularly the media which pressurise the division between public and private, producing a blurred image which no amount of adult viewing ratings or zapping can remedy and thus restore the viewer's freedom.

The operational value of the **private-public** distinction varies considerably between European states. From a historical viewpoint, all the latter have been marked mainly by Christianity, but also by Judaism and, in an increasing number of cases, Islam, while a lay tendency with diverse effects has also become established, particularly in France. The institutional manifestation of this private-public contrast and the above-mentioned historical diversity lie in the presence of

religious instruction or education more or less integrated into the school syllabus and partly or wholly responsible for teaching children how to live in society and which values to adopt. This is important – the fact that common principles for living together can be collectively defined and that educational institutions take it upon themselves to pass them on. Regardless of changes in religious education and its presence on the school syllabus, civic education for Europe demands an approach which brings together rules for communal life, even though respect for individual freedom, particularly freedom of conscience, is an integral part of European identity.

As long as civic education is **also the teaching of values**, it cannot duck the **issues of their origins and definition** and the **entitlement** of teachers to pass them on. There are those who believe that the choice of the values and principles to be taught depends on the family unit and its beliefs – especially religious ones – as the sole guarantee against state-led or ideological totalitarianism, while others consider that only an institution founded on universal principles and values can guarantee education for a free society, enable everyone to get through to his fellow citizens and maintain the cohesion of society beyond individual beliefs.

3. Civic education on the syllabus

There is a constant struggle to define the place of civic education **in educational institutions**. Everyone agrees that it is not like other subjects. But opinions, decisions and practices vary tremendously with regard to the form it takes in the school. Once again, the strength of national and social traditions is apparent.

- Ideally, **civic education should filter through the entire range of educational practice**, throughout a pupil's life in secondary school. An all-embracing approach is based on the idea that no teaching, either in its content or in its methods, can avoid questioning the values it transmits and

the rules of communal life it passes on, more often than not implicitly. The task of civic education must therefore be taken on by all teachers and more generally by the entire educational staff with responsibility for the pupils. This very broad commitment guarantees that school life plays an essential part in civic education. In many states, academic tradition does not ignore this and already takes the life of the pupil in school into account. In other cases, notably in France, there is a reluctance to do so; the teacher is supposed only to pass on knowledge, which is itself qualified as being true or at least objective, and not to bear responsibility for communal life. As we have seen, the basis of civic education cannot remain divorced from school life.

- In contrast to this all-embracing idea, a **more limited approach seeks to restrict civic education to certain times and subject matter**. There are several, often very different reasons for this approach. We mentioned very briefly above that defining the role of the teacher solely as that of passing on knowledge runs counter to a broad approach to civic education. In this case, there would be a more or less formal outlet for civic education, and the passing on of knowledge harnessed with the training of children to use their ability to reason would be the best guarantee of a truly critical civic education.

As far as a broad approach to civic education taking school life explicitly into account is concerned, we believe that a specifically allocated period of time during which knowledge and skills in this area are developed, formally recognised and acquired is indispensable, especially in secondary schools. For there is a considerable risk that, if we want civic education to pervade the whole, it will not be present anywhere, since everyone will assume that it is someone else's or indeed no-one's task.

Civic education must therefore be seen as a discipline. This is the solution adopted by many education systems in Europe,

although others do not accept that civic education can be a subject in its own right. Our view is that there is **no incompatibility between the existence of a separate subject and the necessity for aspects of civic education to pervade other academic disciplines and the whole of school life**.

However, it appears that, whichever solution is adopted, civic education, in one form or another, is usually only dispensed during the initial years of secondary education; in later years, it is relegated to the fringes of the curriculum or dropped, as if, paradoxically, the nearer pupils draw to adulthood and therefore the full exercise of their rights, notably in the civil and political sphere, the more their education should concentrate on skills which are supposedly useful in working life, with the abandonment of everything which could prepare them for life in society.

This situation is doubtless symptomatic of a frequent and implicit downgrading of civic education to the inculcation of moral standards, which is, at least in theory, a traditional part of infant education. Everything works on the assumption that this inculcation is a sufficient foundation on which to build citizenship and that the latter somehow sprouts forth in adulthood from dormant seeds sown by the standardised teaching of moral standards to preadolescents. In fact, a conflict is gradually developing over the inclusion, legitimacy and relative priority of civic education and other school subjects: subjects considered to be the most suitable for meeting social requirements, perceived primarily in terms of the labour market which demands optimal competitiveness on an individual basis, leave no space or time-slot unfilled. The functions of selection, orientation, classification, evaluation and social hierarchy are elbowing aside an area explicitly combining values, knowledge, freedom and solidarity. It is the disciplines whose characteristics provide the optimal means of response to these functions which are coming to the fore. To transform civic education into a discipline of this type

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would be to betray its very objectives. Nevertheless, the changes in our societies and the challenges briefly outlined at the beginning of this study mean that a civic education serving the ultimate objectives repeatedly referred to, throughout secondary school education, including final year studies, is indispensable.

Finally, **schools must take account of the political aspect of any civic education**, i.e. the fact that it affects life in the community and invites or indeed calls upon everyone to participate. But the issue of politics is essentially that of debate, ie opposing and diverging ideas, whereas the idea of the school is to unify not by eradicating differences but by passing on a common heritage and set of references enabling people to live and communicate with one another. The school cannot ignore the diversity of society and individual groups, but nor can it blend into and identify with this diversity; if that happened, the school would effectively abandon its central role in civic and democratic education and merely act as a support for individual idiosyncrasies or those of particular communities. It is difficult to maintain a balance and therefore vital to set out the terms and issues, and debate them on the basis of critical appreciation of, and respect for, the diverse attitudes and solutions in each society, group or state.

4. Methods

Most theory and study relating to teaching methods suitable for civic education are founded on official texts, where these exist – syllabuses, study programmes, objectives, progressions, instructions, curricula, supplements, etc. – or on declarations of intent. Those which are based on thorough knowledge of teaching practices and learning problems are very few and far between. It seems that most recommendations insist – and have done so for a very long time – on the **necessity of following active teaching methods**, of developing pupils' sense of responsibility, of teaching them to think

for themselves, of differentiating between attitudes. These views are constantly brought to the fore, especially where very young children are concerned, and civic education, being less tied to academic logic than other disciplines, would be particularly well placed to implement them. But if we climb down from our somewhat optimistic viewpoint, we should add that it is very difficult to find clear and easily identifiable pedagogical methods for civic education. This is due to the specific nature of this form of education and the difficulty in taking account of the conflicts and contradictions which typify it. **Pedagogical practices therefore oscillate between three models**:

- **lessons in morality**, in the form of a "right-thinking" lecture with a distinctly normative objective, using real-life or fictitious illustrations, it has had its uses but has very much lapsed into disuse, even in the primary school where it seemed most firmly anchored;

- **implementation of active methods**; this involves surveys, autonomous work, use of the media, documentary research, etc. But despite their very real value, these methods are very often little or insufficiently exploited; in particular, the most difficult but most important tasks of summarising, communicating and formally recognising what has been learnt are neglected;

- **formal teaching**, the teacher prioritises knowledge in its most neutral and least questionable form; this soon reduces civic education to the learning of organisation charts which provide abstract and lifeless descriptions of political institutions; the study of how these institutions work stops at the moment when debate or discussion seems likely, these being more difficult for the teacher to control.

It is true that there are many examples of teachers or educational staff cleverly combining these three models and mastering methods which are suitable for civic education, but

it is always striking to note that these examples can never be extended to the entire educational system.

Finally, let us complete our short survey with a few brief remarks on **assessment**, which is a vital ingredient of any academic subject, and helps to give it recognised status. This is a key point since, in practice, education is generally guided by the end result, i.e. it is the form of final assessment which determines the methods used in the years leading up to it. Having persistently underlined the phenomenon of conflicts and contradictions, I would go on to suggest that they have a considerable effect on assessment, where a choice has to be made between assessing the simple positive knowledge acquired, which is very institutional in nature, and the impossible task of judging whether children have learnt and assimilated values and principles. For civic education is only worthy of the name if it succeeds in developing and instilling values and public-spiritedness; but by what yardstick can this be measured? And to begin with, does the teacher even have the right to make such an assessment?

Earlier, we defined the scope of civic education as that of the study of existing societies. Unless this study is very well organised, there is a **considerable risk that it will be diluted in a real world made elusive by change and complexity**. Of course, there are many points of reference on the side of established knowledge: economics, sociology, anthropology, geography, ethnology, political science, law, modern history, etc. But apart from the fact that every individual is himself a subject of debate and conflict, extending this to school education as a whole is a highly complex matter, which we will deal with later.

We must:

- **define civic education in relation to disciplines based on scientific knowledge which provide the necessary references;**

- **not reduce civic education to a simplification** of so-called scientific knowledge but remember that it **is based to a large extent on common sense** – on the most mundane forms of knowledge;
- **attempt to organise teaching so that there is coherence** between the skills passed on by teachers and developed by pupils.

In the next section we will go on to examine why and how legal concepts can be used to organise civic education in this way. We will also encounter the question of values and lay teaching, neither of which we wished to cover as such but which recur throughout this study. Once again, I would emphasise that debate on both these issues is both urgently required and inevitable, that **all education systems must agree to clarify and actively take up the issue of values, that a revised form of lay teaching provides the most suitable basis on which to consider our rules for communal life and the running of our schools in keeping with individual freedoms and human rights and the fight against all forms of discrimination**.

The legal dimensions, a pillar of civic education

We have analysed the context for and issues involved in civic education through detailed examination of aspects, pressures and contradictions relating to civic education in secondary schools in order to demonstrate the complexity of our study area and assert that any proposals and planning for the future must take these different elements into account. Before considering any orientations in terms of syllabus or curriculum, objective or progression, we must attempt to redesign the whole by setting out a few guidelines likely to provide a degree of coherence, a new legitimacy and a truly European dimension for civic education.

In this final section we will consider the hypothesis which we have already mentioned several times: **using law as a pillar of civic education.**

This does not mean that civic education would be limited to the teaching of law but that elementary law has all that is needed to serve as an organisational basis for a coherent education that encompasses the numerous issues and challenges I have attempted to evoke. The law already has a *de facto* presence to a varying extent but is not always covered thoroughly enough. I will therefore show how the law is of value in its own right, notably in so far as it is based on human rights, and describe its value for educational purposes. But the law itself is the subject of question and debate which has no immediate presence in education. I will suggest a number of approaches to defining the limits and perceived risks of reference points used to develop a civic education programme. Finally, I will briefly examine a few didactic problems with emphasis on the above-mentioned approaches but without attempting a more direct relation with the syllabus or curriculum, since any proposals of this nature would be

worthless and even dangerous, given the variation between individual systems at regional, national or state level.

1. The importance of law and human rights

Our societies are **societies based on law**; our states are **governed by the rule of law**. Most of what we do is controlled by the law; even subconsciously, everyone is affected by laws and regulations. The law regulates all aspects of life in society. In a certain respect, the history of our societies is marked by the gradual extension of law to the protection of the weakest and the peaceful resolution of conflicts.

But all societies can be described as having a legal foundation in the sense that **there are always rules to organise relations between people**. The existence of a legal system is no guarantee that it will be a fair one; the existence of a fair legal system is no guarantee that it will be fairly applied. The law of the strongest often prevails even if it is not codified as such. The distinguishing feature of the European states which have signed the European Convention for the Protection of Human Rights and Fundamental Freedoms is their declaration that their legal system is founded on human rights. They are also signatories to the Universal Declaration of 1948 and are committed to comply with the obligations of the 1966 Covenants on economic, social and cultural rights and on civil and political rights respectively, or those stipulated under the 1961 European Social Charter, when they ratify it. Beyond these commitments which vary in extent thanks to the system of reservations, there is indeed a hard core from which there is no possible derogation, centred on human worth. Together, these texts form a set of references which direct us towards both the ethical issues on which these rights are founded and the practical question of their implementation.

Whatever the differences in interpretation and meaning that may be imputed to human rights, they provide a set of **value-principles** which enable us to consider modern society and

relations between people from a practical and ethical viewpoint. These assets from which democratic debate can develop are as follows:

- **Mankind is the source and rightful owner of the law**. Mankind is the starting and finishing point of the law. Law is created by and for mankind. The human being is the purpose of all society;

- **Respect for everyone's rights is guaranteed by respect by all for one another's rights**. All men are equal before the law. This mutual relationship and this equality mean that **rights and duties** go hand-in-hand and that solidarity is required;

- **If rights are to be safeguarded, everyone must be involved in setting out the law and therefore in the exercise of power**. The law is developed through free discussion by all. Human rights embody the **requirement of a democratic society**. Law is to be understood in the broad sense of the term, i.e. it affects all the rules of communal life whatever scales and social institutions are involved;

- Resorting to the law means **resolving conflicts without destroying one's adversary**;

- Human rights are often divided into **civil and political rights** which reflect the individual's freedom within society and **economic and social rights** which reflect what the individual is owed by society. These two types of rights are complementary, even if their relationship is a past, present and future source of much debate, particularly on the role of the State and public authorities in safeguarding or satisfying them;

- The **scope of the law is limited**; the law cannot dominate and control everything, and there are areas where it has no jurisdiction; the prime obligation of authorities is to respect the law. People have rights in the face of authorities.

When seen in this light, human rights are an invitation to **analyse in ethical and moral terms** both **what they are founded upon and how they are exercised**. Seen in this way, the law will never be limited to a series of formal rules and **the teaching of elementary law must incorporate this analytical aspect**. This analytical aspect must in turn incorporate an element of anticipation as our laws are continually redefined and developments in societies and intellectual progress constantly throw up new questions.

These questions require **analysis on an international, universal** level. The European dimension is vital but it is a direct stepping stone to the universal level. The opening of borders, greater exchange, the free movement of people, goods and intangible assets all point to an urgent need for the continuous development of rules for communal life which reflect and encourage a gradual convergence of national laws. Questions of science and control over our environment immediately assume global proportions. Europe must therefore not only develop its own pattern of solidarity and convergence but also perceive it in terms of global solidarity.

So the **universal nature of human rights arises from necessity**; these rights imply reciprocity on an individual scale but respect for them is only possible if it is extended to all human beings and all human groups.

Finally, **the law is also a practice** based on a combination of reference texts, legal institutions and individuals. Analysing the law means continuously playing off these three practical components which make an indivisible whole.

2. The value of law in education

Building civic education on a foundation of law meets various needs:

- **promoting the integration of young people through the constructive appropriation of rules**. This means considering

school life as an environment in which the rules for life in society are created and experienced;

- **building civic education** not on the teaching of standards imposed more or less as imperatives but on the critical appreciation of laws and how they are created and applied;

- **thoroughly integrating the relationship between rights and duties**, all too often experienced by young people as the contrast between duties for them and rights for adults; this creates barriers between the two groups and means that claims for rights are reduced to claims for the right to do what one wants;

- **introducing children to a Europe** which is not simply a free-trade zone with the exchange and mobility of goods and people but also a constantly developing **Europe based on values, law and rules for communal life**; the relation between these rules and the principles of human rights must be defined;

- incorporating the aspirations of young people, particularly those with a bearing **on the very operation of educational institutions**, into a realistic approach towards taking initiatives and decisions in the form of ideas on law, representation and participation in community life;

- providing a thorough and rigorous introduction to the **relationship between studying a social problem and arguing one's point of view**; while it is true that all social sciences strive for the full development of topics and arguments, the study of specific social situations from the legal point of view does much to generate the critical distancing required for reasoned argument. Even though the daily practice of law leaves us with an image of haste and discrimination with regard to social status, we must not overlook the fact that, before a sentence is pronounced, legal proceedings are firstly an argued reconstruction of the facts;

- **resorting to the law to control violence** and thereby resisting any notion of private justice which history has shown to be over-hasty;
- **taking a certain approach to present-day problems**, by identifying the action to take, the issues involved and possible ways of dealing with them; this last point is important since it provides a link to the idea of decision-making and action and not simply to that of understanding and evaluating.

3. Limitations and risks to be taken into account

The law stipulates how things should be and provides a means of judging what is to be decided. Pupils very often distance themselves from its texts and even reject them for being too divorced from a social reality consisting of conflicts settled violently or very unjustly, of violations of principle. These texts, particularly Declarations and Conventions, must be seen from the opposite viewpoint. They do not automatically condition human and social behaviour; what they provide are the **standards required to analyse, appreciate and evaluate** this behaviour and provide any necessary remedies. The fact that these standards are broadly international, and indeed universal, in nature gives them even more importance.

In the eyes of many, the law is an abstract subject made up of rules and principles. It is clear that any introduction to the law should not be reduced to this limited view. As we pointed out above, the law is a practice. This practical element of law is an invitation not only to work on **case studies** but also to **initiate pupils into their own rights**, rights which entitle them to the respect of others as they in turn must respect others' rights.

The practical element in law also draws our attention to inequalities in how it is applied. We briefly mentioned that law texts must be seen from the opposite viewpoint. These inequalities are a symptom of the relative nature of the law, both in its development and in its application. All laws are the

result of a compromise which expresses a balance of power at a given point in time; in this respect, the law is not sacred but is open to amendment. Indeed, the **drafting and amendment of the law constitute one of the key issues in democratic debate**.

Initiation into the law is a potential source of conflict between the rights of an individual and the rights of the national community; when they arise, such **conflicts over standards** lead us to reconsider the basis, meaning and hierarchy of these standards and rights. The respect demanded by certain individual rights may clash with the principles and laws in force in a given place. It is not the teacher's job to act as sole arbiter of such conflicts but it is his responsibility, and that of the educational community as a whole, to exploit the opportunities for thought and training that they offer.

Finally, we have until now considered law as a homogeneous and coherent whole. We should be careful not to forget that, **according to some jurists, the law itself is in a crisis situation**. A kind of legal inflation is threatening our democracies, as the multiplication of laws, far from bringing citizens closer to the law, is actually distancing them by creating a labyrinth in which they are hopelessly lost. The practice of systematically resorting to the law to resolve conflicts is coming to hinder a number of social practices and certain forms of social progress. It is as if all human activity and relationships must be reduced to a codified formula. The law is further complicated by its plurality on a European scale since, although human rights are a universally declared principle, differences in form, development and application of the law make Europe a legal kaleidoscope.

4. Didactic considerations

With the general guidelines now in place, we will now turn our thoughts to a few points relating to the introduction of elementary law into educational systems and cover the

thoughts expressed in the second half of this study in greater depth.

No knowledge, skill or know-how is introduced as a teaching subject without its undergoing radical changes to its initial formula. Through these changes, it becomes a completely new entity; thus the law taught to schoolchildren will not be the same as that of the lawyer who practises it. Put bluntly, this means that the context of "law" as a taught subject, as an element of learning, will be completely different from that of court proceedings or a consultation in a law practice. The context of teaching and the necessary development of procedures to create an object of learning will result in a special form of "law", specific to the School, even if it maintains links with its sources of reference.

This transformation is conditioned by a **two-stage process whereby knowledge is adapted to the school environment**. Firstly, the knowledge or skill in question will be incorporated, on the initiative of the relevant authorities, the teacher, etc., according to their idea of civic education, into a certain educational context in relation to or isolation from other kinds of social studies, either as a fixture on the timetable and syllabus or as a non-compulsory activity. This knowledge or skill will then be incorporated into specific practices as an element of teaching and learning.

When such changes take place within the framework of an academic discipline, the end result comprises four elements which typify all academic disciplines:

- it forms a set of universally recognised skills;
- it is studied on the basis of teaching practices and procedures which are characteristically applied to it;
- it gives rise to motivation procedures;
- it has specific methods of assessment.

When formulating his lessons, the teacher must remember that his pupils are neither blank pages on which one can

simply print knowledge nor empty cups to be filled to the brim. Every pupil possesses an idea and knowledge of the rules of life in society and relations with others, he has opinions which predate any school education. Work in social psychology has generated a term which suits our purposes: **social representation**, which describes both a **process** through which pupils, and indeed all of us, receive and interpret new information and a **product** in the form of a set of information organised in a certain manner and concerning the topic in question. Two aspects of this product which require special attention are judgement and attitude. Law and justice are present very early on in everyone's mind and exert a powerful moral and affective influence. Their weight and strength are particularly keenly felt in civic education and even more in secondary than in primary education. Everyone is convinced that his image of life in society and relations between people is correct, if not the best.

These representations provide a means of approaching and taking account of the information which everyone, pupils and teachers alike, possesses on a given subject – information which is constantly used to interpret the surrounding world and communicate with others. They cannot therefore simply be considered as obstacles to be eliminated. Their status is far more complex; they can also be used as points of reference for classwork if only because they express each person's individual experience and ideas. With this approach, a two-pronged exercise to help pupils become aware of and distance themselves from their own representations precedes or accompanies the development of legal knowledge.

This aspect of representations in learning is all the more essential and complex given that the vocabulary which enables us to reflect upon legal or ethical matters is identical to that used every day. Schoolchildren, and indeed everyone, will always tend to equate the strictly, objective sense which we aspire to develop with common sense, a permanent

melting pot of words, reality, opinion, knowledge and judgements.

In our opinion, this legal orientation can be **organised mainly around a few concepts which underpin an interpretation of the law**. This is the only way to avoid an explosion of the knowledge acquired, caused notably by excessive submission to present-day reality, resulting in an occasional and informal discipline. The choice of these concepts will provide the starting point for curricular work constantly revolving around case studies, which are indispensable, and the development of concepts, abstract ideas and general themes, which is equally necessary. While we do aim to **develop pupils' general skills**, we should avoid exposing them to a series of individual cases which would lead them to spontaneously develop their own generalisations, very likely nothing more than an endorsement of their initial representations. If the learning objectives are general skills, learning must use procedures which make this possible.

It should be noted that concepts are not objects but instruments of thought and action, judgement and analysis; this should be taken as a warning on the permanent tendency of the human mind to reduce a word to an object, the common expression of a form of realist thought which stretches well beyond childhood. A historical aspect must be brought into case study work to develop the idea in pupils' minds that legal concepts and tools are products of history and social evolution, an evolution which also leads us to consider our future.

Before arriving at this point, we must select the concepts to be worked through and developed with pupils. We make no secret of the difficulty involved in such an operation, which touches upon everyone's principles and ideas. We suggest an initial approach covering six concepts, in groups of two which already give an idea of their significance:

– equality, human rights;

– justice, law;

– identity, citizenship.

This choice is open to lengthy debate. Let us simply emphasise that values and practices emerge from each pair and each word, thus referring pupils back to the two aspects which we believe are vital to civic education. Moreover, they do not function separately but in relation to one another and should therefore be presented in the form of a conceptual diagram.

If civic education is to be developed in this way, three other elements are required: duration; co-ordination with three other aspects of civic education (other knowledge concerning societies either present in or necessary for civic education; other academic disciplines and the life of the institution in general; teacher training).

- **Developing concepts** does not boil down to trotting out definitions. Definitions are occasionally useful but carry a risk of freezing the meaning of a word and becoming an obstacle in the more detailed examination required later. **Time** is needed, both to take account of and harmonise work with pupils' maturing process and to add greater diversity to case studies so that the concepts concerned take on a sufficiently wide and open meaning. A civic education programme should really be developed over several years.
- **Civic education cannot be limited to the legal dimension**. There can be no question of transforming it into law studies. This means that civic education reflecting the law in our societies must, in its specifically academic aspect, take account of other knowledge from areas such as sociology, politics, economics, geography, etc. These are often on the syllabus but in many cases the links between them remain to be drawn.

While we have emphasised and argued the necessity of specific time-tabled civic education, we have also pointed out

that it should not be restricted to a certain time-slot. Other academic disciplines are concerned and affected and it would be useful to create links to them; biology, geography, literature, history, etc., indeed all the disciplines focusing on mankind, society, human or social activities, should have some kind of commitment to civic education without being limited to it.

Finally, civic education must take school life into account and under its wing. The school as an institution cannot refuse critical analysis of its operation in the light of the values it aspires to pass on. Besides this purely critical aspect, the **school is also a living community**, and therefore a place in which social rules are developed and enforced; conversely, these concepts must be developed so that pupils can appreciate them in theory and practice during their school life.

The lasting nature of civic education and its structuring around other subjects as well as around school life are two aspects that lend weight to the educational side of the programme. This is not new and already applies in many schools; we simply wish to remind the reader that the specific nature of civic education is such that this is very useful.

- **Teacher training** is a common concern for all European states and gives rise to specific studies and approaches which we do not need to discuss here. Situations vary considerably. But it is necessary to incorporate the various aspects whose importance we have underlined in our study; in particular, teacher training in civic education must include a substantial proportion of reflection on the problems, pressures and contradictions it involves.

Conclusion

Upon completing this study, I feel that I have raised a series of questions rather than proposing immediately operational guidelines. But I was naturally led to do so by the scope of the subject and the complexity of the problems to be debated. Preoccupations and experience in France have undoubtedly strongly influenced my analysis and the points of view underlying them. I hope I have made sufficient provision for the European dimension so that those working on other education systems in other states and faced with other societies have some food for thought and fuel for debate.

A full conclusion cannot be drawn since this area is above all a construction project which, while not new – because civic education is a long-standing preoccupation in most of our educational systems – must use new materials and plans yet to be drawn up to create virtually unknown structures, not to mention the men and women responsible for seeing it through, i.e. pupils and teachers. I will therefore limit myself to three remarks summarising this study or putting it into perspective:

- Educational systems have reached crisis point. Each state is endeavouring, in its own manner and tradition, to bring about the necessary changes while striving to arbitrate between greatly conflicting imperatives and pressures. Urgency seems to be the key factor in the taking or blocking of decisions, and we must all avoid falling into this trap. What we need is a **true debate on the philosophy of educational policy**, and not a debate marked by the taking of sides and pusillanimity as is all too often the case, not the assertion that things were better than they will be but an interplay of ideas and points of view whose exponents do not hesitate to present them as such and engage a dialogue, fully conscious of their differences and legitimacy.

– Civic education is a long-standing project because it has not always been implemented. Its importance is being reaffirmed everywhere; some states, new to pluralist democracy, do not know whether to be wary of it and the risk its being used to make people toe the ideological line or to promote it as a guarantee that new institutions will work well. Elsewhere, blessings will certainly be mixed.

The current situation is a novel one for two reasons. On one hand, **the European dimension must be resolutely integrated into school education and this is made all the more complex by the fact that Europe remains to be built**. On the other hand, and this brings us back to my earlier comment, **civic education must be oriented resolutely towards the future**, simply because it is our task to educate young people who will be adults during the next millennium. While the past certainly bears lessons for us and can help us interpret and consider our present and future, the latter is not merely a continuation of the past. For the first time, perhaps in the history of humanity, the scale of the questions to be resolved makes them totally new. Civic education must make a modest contribution towards training citizens to think in these terms.

– I have stated why the law must play a key role. I will finish by simply reminding the reader that the question of law is based on and legitimised by one of **values to be defended and promoted, values present in human rights even though we will always have to specify, consider and develop them**. Casting the law in this role in no way locks civic education into a new vernacular but, on the contrary, **calls for a dynamic trend in discussion and democratic debate**. Learning and constantly developing the conditions of democratic debate is probably one of the challenges facing not only the school but society at large. The school has a task to fulfil. It must not become an arena for conflict

between individuals or groups but would completely fail in its task of civic education if it did not take this aspect into account.

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Civic education, which respects diversity and which is based on the legal and ethical principles of human rights can contribute to preparing new generations to respond to future challenges. It helps in shaping a European identity based upon the principles of free debate and the participation of all in drawing up legislation and in situations of power. It thus responds to the threefold mission of education: teaching, educating, socialising.

Teaching about law is considered today as a pillar of such civic education which is decidedly European, open to the rest of the world and oriented towards the future.

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